

**THE STATES assembled on Wednesday
3rd December, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

All members were present at roll call with the exception of –

Senator Stuart Syvret Senator en défaut (défaut raised at 3.19 p.m.)
Senator Wendy Kinnard – excused
Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.38 a.m.)
Senator Frederick Ellyer Cohen – en défaut (défaut raised at 9.41 a.m.)
Connétable Kenneth Alan Le Brun of St. Mary– en défaut (défaut raised at 9.47 a.m.)
Connétable Thomas John du Feu of St. Peter– en défaut (défaut raised at 9.40 a.m.)
Deputy Shona Pitman of St. Helier– en défaut (défaut raised at 10.16 a.m.)

Prayers

Subordinate enactments tabled

The following enactment was tabled, namely –

Public Finances (Accounting Standards) (Amendment) (Jersey) Order 2008. R&O.152/2008
Minister for Treasury and Resources.

Documents presented or laid

Financial Services Compensation Scheme (P.150/2008): comments. P.150/2008.
Presented: 3rd December 2008. Com.
Minister for Economic Development.

Customs and Immigration. S.R.14/2008.
Presented: 3rd December 2008.
Education and Home Affairs Scrutiny Panel.

Notification of lodged propositions

Draft Sex Offenders (Jersey) Law 200-. P.178/2008.
Lodged: 3rd December 2008.
Minister for Home Affairs.

Draft Income Tax (Amendment No. 31) (Jersey) Law 200 (P.160/2008): second P.160/2008.
amendment. Amd.(2).
Lodged: 3rd December 2008.
Minister for Treasury and Resources.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it had been withdrawn –

Draft Income Support (Amendment No. 3) (Jersey) Regulations 200 (P.165/2008): P.165/2008.
amendment. Amd.
Lodged: 19th November 2008.

Deputy S.C. Ferguson of St. Brelade.

Draft Budget Statement 2009 P.158/2008

THE STATES, resumed consideration of the Draft Budget Statement 2009 (P.158/2008), and, adopting an amendment of the Minister for Treasury and Resources, agreed that after the words “as set out in the Budget Statement” there should be inserted the words –

“except that the estimate of total taxation revenue shall be reduced by £500,000 for the exemption from stamp duty on all transactions through the ‘Jersey Homebuy’ scheme for first-time buyers”.

THE STATES, having acceded to a request of the Minister for Treasury and Resources, in accordance with Standing Order 32, to debate the proposition at the present meeting, adopted an amendment of the aforementioned Minister that the proposition should be renumbered as paragraph (a) and a new paragraph (b) added as follows –

“(b) to agree that the sum of £63,000,000 should be transferred from the Consolidated Fund to the Stabilisation Fund in 2009.”.

THE STATES, adopting the Budget Statement 2009, as amended, agreed –

- (a) to approve the estimate of total taxation revenue in 2009 of £598,340,000 as set out in summary table A on page 32 of the Budget Statement, with the sum to be raised through existing taxation measures and the proposed changes to income tax, impôts duty, stamp duty and land transactions tax for 2009 as set out in the Budget Statement; except that the full higher rate personal allowance in respect of children in higher education should be given for the full year of assessment in which a child left higher education irrespective of any income earned by the child after graduation and except that the estimate of total taxation revenue should be reduced by £500,000 for the exemption from stamp duty on all transactions through the ‘Jersey Homebuy’ scheme for first-time buyers; and,
- (b) that the sum of £63,000,000 should be transferred from the Consolidated Fund to the Stabilisation Fund in 2009.

Members present voted as follows –

POUR: 41

CONTRE: 1

ABSTAIN: 0

Senator L. Norman

Deputy G.C.L. Baudains
(C)

Senator T.A. Le Sueur

Senator P.F. Routier

Senator P.F.C. Ozouf

Senator T.J. Le Main

Senator B.E. Shenton

Senator J.L. Perchard

Connétable of St. Ouen

Connétable of St. Mary

Connétable of St. Peter

Connétable of St. Clement

Connétable of Trinity

Connétable of St. Lawrence

Connétable of Grouville

Connétable of St. Brelade

Connétable of St. Martin

Connétable of St. John

Connétable of St. Saviour

Deputy R.C. Duhamel (S)

Deputy A. Breckon (S)

Deputy J.J. Huet (H)

Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)

Draft Finance (2009 Budget) (Jersey) Law 200- P.159/2008

THE STATES commenced consideration of the Draft Finance (2009 Budget) (Jersey) Law 200- and adopted the principles.

THE STATES adopted Article 1.

THE STATES, adopting an amendment of the Minister for Treasury and Resources, agreed that in Article 2–

- (a) the existing matter should be numbered as paragraph (2);
- (b) before paragraph (2) (as so numbered) there should be inserted–
“(1) After Article 6 of the Stamp Duties and Fees (Jersey) Law 1998 the following Article sha be inserted –

‘6A Remission of stamp duty on Jersey Homebuy contracts

- (1) The designated officer shall remit any stamp duty (other than the stamp duty excluded by paragraph (2)) that would, but for this Article, be chargeable under Part 1 of the Schedule o any document if the designated officer is satisfied that the document is –
 - (a) a contract of sale of immovable property that is –
 - (i) a single dwelling, and
 - (ii) for occupation by the relevant purchaser,
where the sale takes place exclusively under the scheme known as Jersey Homebuy referred to in the projet lodged au Greffe as P.74 on 21st May 2008 by the Minister for Planning and Environment;
 - (b) an acknowledgement of debt where the borrowing relates exclusively to a sale under a contract referred to in sub-paragraph (a); or
 - (c) a contract under which one or more simple *conventionnel* hypothecs, or other security, is or are taken to secure a debt where the borrowing relates exclusively to a sale under a contract referred to in sub-paragraph (a).
- (2) The excluded stamp duty is the duty set out in item 1(d) or item 13(u) of Part 1 of tl Schedule.’.”.

THE STATES adopted Articles 3 and 4.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Finance (2009 Budget) (Jersey) Law 200-

THE STATES, in accordance with the provisions of Standing Order 80A and in pursuance of Article 19 of the Public Finances (Jersey) Law 2005, declared that the Bill entitled the Finance (2009 Budget) (Jersey) Law 200- (P.159/2008 lodged "au Greffe" on 21st October 2008, by the Minister for Treasury and Resources) should immediately have effect as if it were a Law sanctioned by Her Majesty in Council.

Draft Income Tax (Amendment No. 31) (Jersey) Law 200 P.160/2008

THE STATES commenced consideration of the Draft Income Tax (Amendment No. 31) (Jersey) Law 200 and adopted the principles.

THE STATES adopted Articles 1 and 2.

The STATES, adopting an amendment of the Minister for Treasury and Resources, agreed that –

In Article 3–

In the inserted Article 131(1)(ab)(i) for the amount "£250,000" there should be substituted the amount "£50,000".

In Article 4(c)–

In the substituted Article 131B(3)(b)(vi) for the amount "£250,000" there should be substituted the amount "£50,000".

In Article 4(i)–

In the substituted Article 131B(9) for the amount "£250,000" there should be substituted the amount "£50,000".

In Article 5(c)–

In the substituted Article 131CA(3)(g)(vi) for the amount "£250,000" there should be substituted the amount "£50,000".

In Article 5(g)–

In the substituted Article 131CA(12) for the amount "£250,000" there should be substituted the amount "£50,000".

THE STATES adopted Articles 3, 4 and 5, as amended.

THE STATES adopted Articles 6 to 19.

THE STATES, adopting an amendment of the Minister for Treasury and Resources, agreed that after Article 19 there should be inserted the following Article and the remaining Articles renumbered accordingly–

"20 Article 95 amended

After Article 95(3) there shall be inserted the following paragraph–

'(3A) For the purpose of paragraph (3) there shall be disregarded any income to which a child is entitled in the child's own right in a year of assessment being income that is earned after completion during that year of assessment of a course of full-time higher education.' "

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Income Tax (Amendment No. 31) (Jersey) Law 200.

THE STATES, in accordance with the provisions of Standing Order 80A and in pursuance of Article 19 of the Public Finances (Jersey) Law 2005, declared that the Bill entitled the Income Tax (Amendment No. 31) (Jersey) Law 200- (P.160/2008 lodged "au Greffe" on 21st October 2008, by the Minister for Treasury and Resources) should immediately have effect as if it were a Law sanctioned by Her Majesty in Council.

Income Support and GST food costs bonus: additional funding P.163/2008

THE STATES commenced consideration of a proposition of the Minister for Treasury and Resources concerning additional funding of the Income Support and GST food costs bonus and noted that, in accordance with Standing Order 34(1), Deputy Sarah Craig Ferguson of St. Brelade had advised the Greffier of the State that her amendment had been withdrawn ('Income Support and GST food costs bonus: additional funding (P.163/2008) – amendment' lodged 'au Greffe' on 18th November 2008).

THE STATES, adopting a proposition of the Minister for Treasury and Resources, agreed in accordance with Article 11(8) of the Public Finances (Jersey) Law 2005 to amend the expenditure approval for 2009 approved by the States on 22nd September 2008 in respect of the Social Security Department head of expenditure, to permit the withdrawal of an additional £3,400,000 from the consolidated fund for its net revenue expenditure in order to fund amendments to the benefits payable under the Food Costs (Offset of Average GST) Bonus and Income Support Scheme and as set out in Table A on page 3 of the attached report.

Draft Food Costs (Offset of Average GST) Bonus (Amendment) (Jersey) Regulations 200- P.164/2008

THE STATES commenced consideration of the Draft Food Costs (Offset of Average GST) Bonus (Amendment) (Jersey) Regulations 200- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 6.

THE STATES, in pursuance of the Order in Council dated 28th March 1771, made Regulations entitled the Food Costs (Offset of Average GST) Bonus (Amendment) (Jersey) Regulations 2008.

Draft Income Support (Amendment No. 3) (Jersey) Regulations 200 P.165/2008

THE STATES commenced consideration of the Draft Income Support (Amendment No. 3) (Jersey) Regulations 200- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 and 2.

THE STATES, in pursuance of Articles 5 and 18 of the Income Support (Jersey) Law 2007, made Regulations entitled the Income Support (Amendment No. 3) (Jersey) Regulations 2008.

Draft Collective Investment Funds (Recognized Funds) (Actions for Damages) (Jersey) Regulations 200- P.157/2008

THE STATES commenced consideration of the Draft Collective Investment Funds (Recognized Funds) (Actions for Damages) (Jersey) Regulations 200- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 3.

THE STATES, in pursuance of Articles 20(4) and 35 of the Collective Investment Funds (Jersey) Law 1988, made Regulations entitled the Collective Investment Funds (Recognized Funds) (Actions for Damages) (Jersey) Regulations 2008.

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(b), Deputy Ian Joseph Gorst of St. Clement had declared an interest but remained for the duration of the debate.

Draft Firearms (Amendment No. 2) (Jersey) Law 200 P.162/2008

THE STATES commenced consideration of the Draft Firearms (Amendment No. 2) (Jersey) Law 200 and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 and 2.

THE STATES, having noted that in accordance with Standing Order 34(1) paragraph (b) of Article 3 had been withdrawn, adopted Article 3 paragraphs (a) and (c).

THE STATES adopted Article 4.

THE STATES commenced consideration of Article 5 and, adopting an amendment of the Comité des Connétables, agreed that after paragraph (a) of Article 5, there should be inserted the following paragraph at the remaining paragraph renumbered accordingly—

- “(b) for paragraph (7) there shall be substituted the following paragraphs—
- ‘(7) A firearm certificate shall, unless previously revoked or cancelled, remain in force from the date on which it was granted for –
- (a) a period of 5 years; or
 - (b) where the certificate is being renewed without any material change in the conditions attached to it, the aggregate of –
 - (i) the remainder of the period for which the current licence would have remained in force (disregarding any extension under paragraph (7A)), and
 - (ii) the period of 5 years immediately following the period described in clause (i).
- (7A) Notwithstanding paragraph (7), where an application for renewal of a firearm certificate has been made 3 months or more before the date the certificate would, apart from this paragraph expire and the application will not be determined by the Connétable before that date –
- (a) the Connétable may endorse the firearm certificate, in the prescribed manner, as remaining in force until whichever is the earlier of –
 - (i) the expiry of the period of 2 months following the date on which the certificate would, apart from this paragraph, expire, or
 - (ii) the determination of the application for renewal by the Connétable; and
 - (b) the firearm certificate shall continue in force in accordance with the endorsement, unless revoked or cancelled earlier.
- (7B) Where a Connétable determines that a firearm certificate which continues in force in accordance with paragraph (7A) shall not be renewed and, accordingly, the certificate ceases to be in force before the expiry of the period mentioned in sub-paragraph (a)(i) of this paragraph, Article 5(1) and (3) shall apply as if, on the determination, the certificate had been revoked.
- (7C) This Article shall otherwise apply to the renewal of a certificate as it applies to the first grant of a certificate.’ ”

Members present voted as follows –

POUR: 35

CONTRE: 1

ABSTAIN: 0

Senator F.H. Walker

Deputy G.C.L. Baudains
(C)

Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator F.E. Cohen
Senator J.L. Perchard

Connétable of St. Ouen
 Connétable of St. Mary
 Connétable of St. Clement
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy C.J. Scott Warren
 (S)
 Deputy R.G. Le Hérisier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy S.C. Ferguson (B)
 Deputy P.J.D. Ryan (H)
 Deputy of St. Peter
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy D.W. Mezbourian
 (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy I.J. Gorst (C)
 Deputy of St. Mary

THE STATES adopted Article 5, as amended.

THE STATES commenced consideration of Articles 6 to 16 and, having noted that that in accordance with Standing Order 34(1) Article 15 had been withdrawn, adopted Articles 6 to 14.

THE STATES adopted Article 16.

THE STATES rejected Article 17.

Members present voted as follows –

POUR: 12

Senator L. Norman
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator M.E. Vibert
 Senator P.F.C. Ozouf
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of St. Brelade
 Deputy P.J.D. Ryan (H)
 Deputy J.A. Hilton (H)
 Deputy K.C. Lewis (S)
 Deputy of St. John

CONTRE: 31

Senator F.H. Walker
 Senator J.L. Perchard
 Connétable of St. Mary
 Connétable of St. Clement
 Connétable of Trinity
 Connétable of St. Lawrence
 Connétable of Grouville
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy J.J. Huet (H)
 Deputy of St. Martin
 Deputy G.C.L. Baudains (C)
 Deputy P.N. Troy (B)
 Deputy C.J. Scott Warren

ABSTAIN: 0

(S)
 Deputy R.G. Le Hérisssier
 (S)
 Deputy J.B. Fox (H)
 Deputy S.C. Ferguson (B)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy G.W.J. de Faye (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré
 (L)
 Deputy D.W. Mezbourian
 (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy I.J. Gorst (C)
 Deputy of St. Mary

THE STATES commenced consideration of Article 18 and, adopting an amendment of the Minister for Home Affairs, agreed that in Article 18, at the end of the substituted Article 45 the following paragraph should be added –

- “(8) The grant of a licence under this Article –
- (a) is not, for the purposes of Article 5(2)(b) of the Conservation of Wildlife (Jersey) Law 2000, authority to destroy any protected wild animal or protected wild bird within the meaning of that Law; and
 - (b) does not derogate from any requirement for a licence under that Law to make the hunting lawful.”

THE STATES adopted Article 18, as amended.

Members present voted as follows –

POUR: 33

Senator L. Norman
 Senator F.H. Walker
 Senator M.E. Vibert
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator J.L. Perchard
 Connétable of St. Ouen
 Connétable of St. Mary
 Connétable of St. Clement
 Connétable of Trinity
 Connétable of St. Lawrence
 Connétable of St. John
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy J.J. Huet (H)
 Deputy of St. Martin
 Deputy G.C.L. Baudains (C)
 Deputy P.N. Troy (B)
 Deputy C.J. Scott Warren
 (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy S.C. Ferguson (B)

CONTRE: 3

Connétable of Grouville
 Connétable of St. Martin
 Deputy G.W.J. de Faye (H)

ABSTAIN: 0

Deputy of St. Ouen
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy of St. Mary

THE STATES adopted Article 19.

Following the rejection of Article 17, the Presiding Officer informed the Assembly that Article 20 was deemed to have been withdrawn.

THE STATES commenced consideration of Article 21 and rejected an amendment of the Deputy of St. Martini that for Article 21 there should be substituted the following Article–

“21 Article 50 substituted

For Article 50 of the principal Law there shall be substituted the following Article–

‘50 Visitors

- (1) Notwithstanding Article 2, a person who is visiting Jersey and brings with him or her a firearm or ammunition for which, apart from this Article, a firearm certificate would be required, does not commit an offence of possessing the firearm or ammunition without holding a firearm certificate if –
 - (a) the person’s visit does not exceed 30 days;
 - (b) either the person is a holder of a valid certificate issued in the person’s place of residence authorizing the person to possess the firearm or ammunition he or she brings with him, or the person is resident in a place that does not require the person to have a certificate for that firearm or ammunition;
 - (c) the firearm or ammunition remains in the person’s possession throughout the visit; and
 - (d) the firearm or ammunition is for use only at a shoot –
 - (i) organized by a shooting club, or
 - (ii) held in accordance with arrangements conforming to paragraph (2).
- (2) The arrangements referred to in paragraph (1)(d)(ii) are that the shoot is arranged by a certificate holder who –
 - (a) if he or she is not the occupier of the land, has obtained the prior written consent of the occupier for the shoot; and
 - (b) if the occupier of the land is not also the owner of the land, and if the certificate holder is not the owner, has obtained the prior written consent of the owner for the shoot.
- (3) While the person is visiting Jersey, a certificate described in paragraph (1)(b) shall be deemed, for the purposes of Article 18, to be a firearm certificate.
- (4) In this Article –
 - (a) “firearm or ammunition” does not include any firearm or ammunition described in Article 33(1);
 - (b) “occupier” and “owner”, in relation to land, have the same meaning as in the Rates (Jersey) Law 2005.’ ”.

Members present voted as follows –

POUR: 15

Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy R.G. Le Hérissier (S)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy of St. Peter
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)

CONTRE: 31

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur

Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen

Connétable of St. Mary
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy J.J. Huet (H)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy D.W. Mezbourian (L)
Deputy of Trinity
Deputy of St. John
Deputy of St. Mary

ABSTAIN: 0

THE STATES adopted Article 21.

Members present voted as follows –

POUR: 29

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F.C. Ozouf

Senator T.J. Le Main

Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary

Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity

CONTRE: 12

Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy of St. Peter
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy I.J. Gorst (C)

ABSTAIN: 0

Connétable of St. Brelade
Connétable of St. John
Connétable of St. Saviour
Deputy J.J. Huet (H)
Deputy C.J. Scott Warren
(S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy of St. Mary

THE STATES adopted Articles 22 and 25, having been informed by the Presiding Officer that, following the rejection of Article 17, Articles 23 and 24 were deemed to have been withdrawn.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Firearms (Amendment No. 2) (Jersey) Law 200.

Financial Services Compensation Scheme P.150/2008

THE STATES, adopting a proposition of Deputy Paul Vincent Francis Le Claire of St. Helier, agreed to request the Minister for Economic Development to present proposals prior to July 2009, for a Financial Compensation Scheme for Jersey, with aims and objectives along the lines of, or similar to, the U.K. Scheme known as the Financial Services Compensation Scheme (FSCS).

Members present voted as follows –

POUR: 33

CONTRE: 0

ABSTAIN: 0

Senator F.H. Walker
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren
(S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)

Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Arrangement of public business for the present meeting

THE STATES acceded to a request by the proposers of the following propositions, in accordance with Standing Order 32, to debate them at the present meeting.

Speed Limits: creation of a review working group P.166/2008

THE STATES, adopting a proposition of Deputy Ian Joseph Gorst of St. Clement, agreed to request the Minister for Transport and Technical Services –

- (a) to establish a Review Working Group to review the implementation, operation and suitability of the current Speed Limits Policy (P.1/2004) as approved by the States on 15th March 2005 (set out in Appendix 1);
- (b) to appoint 3 States members as members of the Review Working Group of whom at least 2, including the Chairman, shall not be Ministers or Assistant Ministers, with the Working Group to receive appropriate assistance from relevant officers; and
- (c) to present the conclusions of the Review Working Group with any associated recommendations for change to the Assembly before 30th June 2009.

Members present voted as follows –

POUR: 46

CONTRE: 0

ABSTAIN: 0

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour

Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Statutory Nuisances Law: review P.167/2008

THE STATES, adopting a proposition of Deputy Paul Vincent Francis Le Claire of St. Helier, agreed to request the Minister for Health and Social Services to review the current provisions of the Statutory Nuisances (Jersey) Law 1999, and in particular the provisions relating to the service of abatement notices under Article 5, as they related to –

- (a) industrial activities conducted by the public sector;
- (b) industrial activities conducted by the private sector;
- (c) premises providing a venue for wedding receptions;
- (d) premises providing a venue for similar events; and
- (e) businesses located in close proximity to residences,

with a view to ascertaining whether the current provisions were operating appropriately and to bring forward to the Assembly for approval any amendments that might be deemed necessary as a result of the review.

Members present voted as follows –

POUR: 49

CONTRE: 0

ABSTAIN: 0

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf

Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy of St. Mary

Draft Civil Aviation (Jersey) Law 2008 (Appointed Day) Act 200- P.173/2008

THE STATES, in pursuance of Article 25(2) of the Civil Aviation (Jersey) Law 2008 made an Act entitled the Civil Aviation (Jersey) Law 2008 (Appointed Day) Act 2008.

Arrangement of public business for future meetings

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

20th January 2009

Rates: the States' liability.

P.147/2008.

Lodged: 16th September 2008. <i>Connétable of St. Helier.</i>	
Waterfront Enterprise Board Ltd: appointment of Director. Lodged: 1st October 2008. <i>Chief Minister.</i>	P.153/2008.
Waterfront Enterprise Board Ltd.: appointment of Director (P.153/2008) – amendment. Lodged: 21st October 2008. Senator B.E. Shenton.	P.153/2008. Amd.
Traditional delivery of Christmas addresses. Lodged: 31st October 2008. <i>Senator S. Syvret.</i>	P.168/2008.
Traditional delivery of Christmas addresses (P.168/2008): comments. Presented: 18th November 2008. <i>Privileges and Procedures Committee.</i>	P.168/2008. Com.
Draft Employment Tribunal (Amendment No. 2) (Jersey) Regulations 200. Lodged: 4th November 2008. <i>Minister for Social Security.</i>	P.169/2008.
Draft Health and Safety at Work (Amendment No. 4) (Jersey) Law 200. Lodged: 4th November 2008. <i>Minister for Social Security.</i>	P.170/2008.
Ratification of the Agreement for the Exchange of Information Relating to Tax Matters between the Federal Republic of Germany and the States of Jersey. Lodged: 4th November 2008. <i>Chief Minister.</i>	P.171/2008.
Draft Taxation (Exchange of Information with Third Countries) (Amendment) (Jersey) Regulations 200-. Lodged: 4th November 2008. <i>Chief Minister.</i>	P.172/2008.
Draft Gender Recognition (Jersey) Law 200-. Lodged: 25th November 2008. <i>Chief Minister.</i>	P.174/2008.
Draft Protection of Children (Restriction on Supply of Goods) (Jersey) Law 200-. Lodged: 27th November 2008. Minister for Economic Development.	P.175/2008.
Draft Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 10) (Jersey) Regulations 200 Lodged: 2nd December 2008. <i>Chief Minister.</i>	P.176/2008.
Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 13) (Jersey) Regulations 200. Lodged: 2nd December 2008. <i>Chief Minister.</i>	P.177/2008.
<u>3rd February 2008</u>	
<u>24th February 2008</u>	
Draft Sex Offenders (Jersey) Law 200-. Lodged: 3rd December 2008.	P.178/2008.

Minister for Home Affairs.

24th March 2008

Draft Income Tax (Amendment No. 32) (Jersey) Law 200.
Lodged: 21st October 2008.
Minister for Treasury and Resources.

P.161/2008.

Draft Income Tax (Amendment No. 32) (Jersey) Law 200 (P.161/2008): comments.
Presented: 25th November 2008.
Corporate Services Scrutiny Panel.

P.161/2008.
Com.

THE STATES rose at 5.20 p.m.

M.N. DE LA HAYE

Greffier of the States